

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GOLDEN TRIANGLE CONSTRUCTION
COMPANY, INC., TRANSCONTINENTAL
INSURANCE COMPANY,

Plaintiffs,

v.

UNITED RENTALS, INC., UNITED
STATES FIDELITY AND GUARANTY
COMPANY, COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION,

Defendants.

Civil Action No. 05-1164

Chief Judge Ambrose
Magistrate Judge Hay

ORDER

AND NOW, this 16th day of Mar, 2006, after defendant, United Rentals, Inc., filed a Notice of Removal from the Court of Common Pleas of Allegheny County, and after a Motion to Remand was submitted by defendant, Commonwealth of Pennsylvania, Department of Transportation, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Motion to Remand [Docket No.4] is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party desires to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DONETTA W. AMBROSE
Chief United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Anthony J. Willliott, Esquire
Brett W. Farrar, Esquire
Dickie, McCamey & Chilcote
Two PPG Place
Suite 400
Pittsburgh, PA 15222-5402

John F. Deasy, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
600 Grant Street, USX Tower
Suite 2900
Pittsburgh, PA 15219

Avrum Levicoff, Esquire
Levicoff, Silko & Deemer, P.C.
Centre City Tower, Suite 1900
650 Smithfield Street
Pittsburgh, PA 15222-3911

Thomas L. Donohoe, Sr. Deputy Attorney General
Kemal Mericli, Sr. Deputy Attorney General
Fifth Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219